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\*Admitted only in Maryland \*Admitted only in Virginia •Practice Limited to Federal Agencies

November 21, 2003

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Art Unit 1645

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

U.S. Utility Patent Application

Application No. 10/622,124; Filed: July 18, 2003

For: **Ghrelin-Carrier Conjugates** BACHMANN et al. Inventors: 1700.0340001/BJD/SJE Our Ref:

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Second Supplemental Information Disclosure Statement;
- 2. Form PTO-1449 (50 sheets citing 171 documents);
- 164 documents cited in Form PTO-1449 attached (exclusive of documents 3. AK2 to AF3); and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents November 21, 2003 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

BJD/SJE/lam Enclosures



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BACHMANN et al.

Appl. No. 10/622,124

Filed: July 18, 2003

For: Ghrelin-Carrier Conjugates

Confirmation No.: 3313

Art Unit: 1645

Examiner: To be assigned

Atty. Docket: 1700.0340001/BJD/SJE

## **Second Supplemental Information Disclosure Statement**

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Information Disclosure Statement filed September 29, 2003. A copy of documents AO5 to AM8 and AR95 to AT144 is provided.

Copies of documents **AK2** to **AF3** are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003."

The Examiner is referred to the following list of related, co-pending patent applications:

U.S. Patent Application No. 10/289,454, filed November 7, 2002, inventors Bachmann *et al.*, Pub. No. 2003/0157479 A1, listed herewith as Document **AK2**; which is of related subject matter to International Application PCT/IB99/01925, filed November 30, 1999 and published as WO 00/32227 on June 8, 2000, listed in Applicants' Information Disclosure Statement as document **AP1**;

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- U.S. Patent Application No. 10/050,898, filed January 18, 2002, inventors Renner et al., Pub. No. 2003/0175711 A1, listed herewith as Document AA3;
- U.S. Patent Application No. 10/050,902, filed January 18, 2002, inventors Renner *et al.*, Pub. No. 2003/0175290 A1, listed herewith as Document **AB3**; which is of related subject matter to International Application PCT/IB02/00166, filed January 21, 2002, and published as WO 02/056905 on June 8, 2000, submitted herewith as document **AM8**;
- U.S. Patent Application No. 10/264,267, filed October 4, 2002, inventor Bachmann, M, submitted herewith as Document AR128;
- U.S. Patent Application No. 10/289,456, filed November 7, 2002, inventors Bachmann *et al.*, submitted herewith as Document **AS128**;
- U.S. Patent Application No. 10/617,876, filed July 14, 2003, inventors Bachmann *et al.*, submitted herewith as Document **AT128**;
- U.S. Patent Application No. 10/346,190, filed January 17, 2003, inventors Bachmann *et al.*, submitted herewith as Document **AR129**;
- U.S. Patent Application No. 10/622,064, filed July 18, 2003, inventors Bachmann *et al.*, submitted herewith as Document **AS129**;
- U.S. Patent Application No. 10/622,087, filed filed July 18, 2003, inventors Bachmann *et al.*, submitted herewith as Document **AT129**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following concise explanation of the relevance of the non-English language documents **AO5** and **AL7** cited on Form PTO-1449:

Document AO5, EP 0 201 416 B1, is in the French language. The relevance of Document AO5 can be ascertained by reference to the English language claims appearing therein, and an unverified English language abstract attached as Document AS143;

Document AL7, WO 00/00462 A1, is in the French language. The relevance of Document AL7 can be ascertained by reference to the English language abstract appearing therein, and an unverified English language abstract attached as Document AT143.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Second Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

Date: Nov. 21, 2013

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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Page 2 of 50 APPLICATION NO. ATTY. DOCKET NO. 1700.0340001/BJD/SJE 10/622,124 FORM PTO-1449 APPLICANT BACHMANN et al. SECOND SUPPLEMENTAL FILING DATE GROUP INFORMATION DISCLOSURE STATEMENT July 18, 2003 1645 v.s. PATENT DOCUMENTS EXAMINER DOCUMENT NUMBER DATE NAME CLASS SUB-FILING DATE INITIAL CLASS 09/08/2003 Renner et al. 01/18/2002 AA3 2003/0175711 A1 AB3 2003/0175290 A1 09/18/2003 Renner et al. 01/18/2002 04/17/1990 Kingsman et al. 10/26/1987 AC3 4,918,166 AD3 10/15/1991 Kensil et al. 08/27/1990 5,057,540 08/17/1999 Kucherlapati et al. 07/30/1992 AE3 5,939,598 07/16/2002 06/30/2000 AF3 6,420,521 B1 Sheppard et al. AG AΗ AΙ ΑJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT NUMBER DATE COUNTRY CLASS SUB-TRANSLATION CLASS Yes B EP 0 421 635 B1 04/10/1991 AL6 Europe No Yes 2 AM6 WO 92/13081 A1 08/06/1992 WIPO No Yes 0 AN6 EP 0 677 111 B1 10/18/1995 Europe No Yes 9 WO 96/30523 A3 10/03/1996 WIPO A06 No Yes АР6 WIPO WO 98/42840 A1 10/01/1998 No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) NCBI Entrez, GenBank Report, Accession No. M27603, from Orndorff, P.E., and AR 96 Falkow, S. (April 1993) AS 96 NCBI Entrez, GenBank Report, Accession No. M20706, from Nassal M. (April 1993) NCBI Entrez, GenBank Report, Accession No. AAA37490, from Rouvier E. (July 1993) AT <u>96</u> DATE CONSIDERED **EXAMINER** EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. line through citation if not in conformance and not considered. Include copy of this form with next

communication to Applicant.



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Page 3 of 50 APPLICATION NO. ATTY. DOCKET NO. 1700.0340001/BJD/SJE 10/622,124 FORM PTO-1449 APPLICANT BACHMANN et al. SECOND SUPPLEMENTAL FILING DATE GROUP INFORMATION DISCLOSURE STATEMENT July 18, 2003 1645 v.s. PATENT DOCUMENTS EXAMINER CLASS DATE NAME SUB-FILING DATE DOCUMENT INITIAL NUMBER CLASS AA AB AC AD ΑE AF AG АН ΑI АJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER INITIAL DOCUMENT NUMBER DATE COUNTRY CLASS SUB-TRANSLATION CLASS Yes 01/06/2000 WIPO AL7 WO 00/00462 A1 No Yes AM7 WO 00/32227 A3 06/08/2000 WIPO No Yes AN7 WO 01/77158 A1 10/18/2001 WIPO No Yes **Ø** A07 11/15/2001 WO 01/85208 A3 WIPO No Yes AP7 12/27/2001 WO 01/98333 A2 & A3 WIPO No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) NCBI Entrez, GenBank Report, Accession No. M90520, from Kew, M.C., et al. (August AR 97 1993) NCBI Entrez, GenBank Report, Accession No. X00981, from Klemm, P. (September AS <u>97</u> 1993)

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Konigsberg, W. (December 1993)

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ATTY. DOCKET NO. 1700.0340001/BJD/SJE APPLICATION NO. 10/622,124

APPLICANT

BACHMANN et al.

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	APPLICATION NO. 10/622,124
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ATTY. DOCKET NO. 1700.0340001/BJD/SJE APPLICATION NO. 10/622,124

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AS 109 NCBI Entrez, GenBank Report, Accession No. B563							m Hoffman, D.	R. (May 1997)		
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ATTY. DOCKET NO. APPLICATION NO. 1700.0340001/BJD/SJE 10/622,124 APPLICANT

BACHMANN et al.

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ATTY. DOCKET NO. 1700.0340001/BJD/SJE APPLICATION NO. 10/622,124

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	AS	121	NCBI Entre (February		eport, Accession No. AAB	359424, fr	om Kenten, J.	H., et al.
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	AS	122	NCBI Ent 2002)	rez, GenBank	Report, A	Accession No	. 009006,	from	n Hron	nas, R.,	et al. (June
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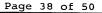
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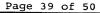
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BACHMANN et al.

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